

Board of Selectmen
November 19, 2012

PRESENT: Rick Griffin, Chairman
Richard Nichols, Vice Chairman
Michael Pierce, Selectmen
Philip Bean, Selectmen
Frederick Welch, Town Manager

ABSENT: Ben Moore, Selectmen

7:00 PM Public Meeting – Selectmen’s Meeting Room, Downstairs Town Offices

SALUTE TO THE FLAG

I. Public Comment Period

II. Announcements and Community Calendar

Mr. Nichols announced that the tax rate has been set and the rate is \$17.77 which is down \$.16. He congratulated the Winnacunnet Warriors who are now Division II champions.

Mr. Bean seconded the kudos to the Winnacunnet Warriors on their win.

III. Appointments

1. Michael Schwotzer, Finance Director
 - a. Monthly Financials

Mr. Schwotzer presented his report for the month of October which is posted online. He discussed income, expense, debt and year-end savings.

Discussion

The following members of the Board asked questions and made comments as follows which were addressed by Mr. Schwotzer.

Mr. Pierce asked questions and made comments as follows: accounts in MIS, part-time special officer wages account low, summer coverage fulltime account percentage high, when do specials start, fire hydrants used old rate, part-time wages in highways and streets account, part-time wages under municipal sanitation, part-time wages in transfer station and need to use part-time employees more.

Mr. Bean thanked him for his report and great leadership.

Mr. Nichols asked questions about fiscal conservativeness for the last quarter and controls in place over the last six weeks.

Chairman Griffin thanked him for his report and great job.

b. SAU 90 – Request for release of School Impact Fees – \$41,525.59

Mr. Schwotzer explained they have received a letter from the SAU with this request and has been included in the calculations for the tax rate.

Mr. Nichols MOTIONED to APPROVE in accordance with Section 5.1 of the Hampton Impact Fee Ordinance, I move that the Board of Selectmen direct the Finance Director to pay out to the Hampton School District (SAU 90) the \$41,525.59 in impact fees that have been collected through December 31, 2011, which also includes interest accrued through that date, for the Hampton School District per Planning Board assessments, as recoupment by the Hampton School District of the bond payments it has made for capital improvements in anticipation of the needs for which the impact fees were collected.. Mr. Pierce SECONDED.

Discussion on motion

Mr. Nichols questioned the amount and confirmed it was reflected in the 2013 tax rate. Mr. Nichols also pointed out the municipal portion of the tax rate remained flat.

VOTE: 4-0-0

c. Update of the Solid Waste Cost Analysis

Mr. Schwotzer explained that he has provided the Board with an update on his analysis which compares the cost of handling trash and recycling in-house compared to the quotes they received a few years ago for this service. He went into details of his analysis.

Discussion

The following members of the Board asked questions and made comments which were addressed by Mr. Schwotzer.

Mr. Pierce made an observation that this needs to be looked at very carefully for the following reasons: buying the side arm trucks would reduce the number of workers comp claims, purchasing carts and there is a lot more to look at here.

Mr. Bean thanked him for his report and thinks it looks good.

Mr. Nichols also thinks the report looks good and commented on the couple of revisions that have been done to the analysis. He thinks this is a very accurate report. He discussed a few other components. He also would like this analysis to be passed on to the Budget Committee.

IV. Approval of Minutes

1. October 31, 2012

Page 10. Add the following to the first sentence under Section XI. Selectmen's Comments " , when it results in a 7% or 12% increase in the tax rate"

Mr. Pierce MOTIONED to APPROVE the minutes of October 31, 2012 as amended. Mr. Bean SECONDED.

VOTE: 4-0-0

2. November 05, 2012

Page 2. Reword the third sentence to state the following: “In the definition of a new property owner does it apply to new owners of new construction and to new owners of existing structures; Mr. Noyes stated it applies to both. Mr. Nichols stated he would lean in the direction of option 2 as well.”

Mr. Nichols MOTIONED to APPROVE the minutes of November 05, 2012 as amended.
Mr. Pierce SECONDED.

VOTE: 4-0-0

V. Town Manager’s Report

1. The Town has received complaints regarding the malfunctioning of the traffic lights at Kershaw Avenue and Route 1. The Fire Department and Public Works are working to resolve and correct the problem, which may require replacing the controller.
2. The Department of Public Works has announced a solid waste collection policy that is currently on Channel 22 and the Town website. This policy outlines the procedures for the collection of the Municipal trash and recycling regarding holidays and during inclement weather, collection shall be postponed as follows:
 - Trash collection by one day – If a holiday or the inclement weather occurs on a Friday the collection will be postponed until the following Monday
 - Recycling collection will be postponed by one week

Inclement weather is defined as any storm event that closes the Hampton Schools for a full day.

Please call the rubbish and recycling hotline at 603-944-7954 for up to date information.

3. The Department of Public Works has notified the State Department of Fish and Game that they will be doing a one day draw down of Batchelder Pond to do repair work on the concrete spillway.
4. A bid has been awarded to Denron Plumbing and HVAC as the lowest of 4 bidders at a cost of \$19,600 for the repair work on the Police Department’s air handling control system.
5. The Municipal Records Committee has waived the microfilming of the Towns assessment records. The records that have been digitized will now be recycled.
6. Families First has requested permission to utilize the Town Parking Lot at Ashworth Avenue to provide medical and dental services in their medical RV on Tuesdays from 8:30 AM to 12:30ish. The Parks and Recreation Department has recommended that the Board of Selectmen approve the request.

Other Items added to the report

Mr. Welch added that the winter parking ban is in place.

Discussion

The following members of the Board asked questions and made comments which were addressed by Mr. Welch.

Mr. Bean MOTIONED to APPROVE the use of the Town lot at Ashworth Avenue by Families First to provide medical services in their medical RV on Tuesdays. Mr. Pierce SECONDED.

VOTE: 4-0-0

Mr. Nichols asked questions and made comments on the following: the lights on Lafayette Road/High Street and changes being made, microfilming of records and possible use for money remaining in the budget and questions the need to microfilm if have digitized records.

Mr. Pierce asked questions and made comments as follows: reason/need to microfilm and do we meet all the necessary backup requirements.

VI. 2013 Warrant Articles

Discussion

The following members of the Board asked questions and made comments which were addressed by Mr. Welch.

Mr. Nichols made comments and asked questions on the following: Town Ordinance numbering system and need to change through Town meeting vote, online ordinances are still not updated to reflect the changes of the 2012 vote, goal going forward to have ordinances updated after Town Meeting vote, Noise Ordinance changes that need to be made and would like to discuss this at next week's meeting, Conservation Commission land acquisition account, process to go through for withdrawing from Southeast Regional Refuse and understands the need for it to be approved by the voters but would like to see language added which would give the Board options, DPW roads related and what is changing with this article and would like an updated list prior to next week's meeting.

Mr. Pierce made comments and asked questions as follows: wash-down facility at DPW is overpriced and DPW has too much on their plate.

Mr. Pierce MOTIONED to remove the warrant article for DPW wash-down facility.

Mr. Nichols commented on the number of warrant articles and tax impact, wash-down facility is one of the only ones he would advocate removing. He reminded the Board that they are still waiting to hear back with further information from Mr. Noyes and would like to wait for a full Board.

Mr. Pierce withdrew motion.

Mr. Bean made comments as follows: thanked Mr. Welch for his synopsis, would like a revised copy of warrant articles, in general he does support wash-down facility but agrees they should wait for a full Board before making a decision and need for appropriate documentation before expected to vote on these projects.

VII. Old Business

Mr. Pierce brought up the discussion the Board had in regards to a study being done on the trash/recycling routes and does not understand the message Mr. Noyes is trying to make to the Board. Mr. Welch commented that Mr. Noyes is trying to warn the Board that if things should get out of hand there may be a problem if they do not have enough trucks. Mr. Pierce expressed concerns with why they are not asking to purchase a side arm truck. He expressed

additional concerns with the whole process of trash/recycling pick-up. Mr. Welch went into details on the issues of the past on how trash could be picked up with the side arms; specifically no one wants their neighbor's trash on their side of the street, the reduction of frequency of trash pickup at the Beach, and the real need for the Board to make some decisions.

Mr. Nichols made comments: on cost of solid waste collection, specifically the number of pick-ups made per week, frequency of pick-ups, no documentation related to routes/frequency of pick-up, current types of packers and which trucks are being used, can't see a real need for use of rear loader trucks, documentation of what they are doing today, policy change about pick-up schedule and no need to pick-up residential trash 3 days a week at beach. Mr. Welch stated that the Board will need to make a motion to change the schedule, which was a decision of a prior Board.

Mr. Bean made the following comments: there is history of the individuals in Town who have driven trash trucks in this Town and how they can be used as a resource, and you do not need expensive studies, and the Police Chief is doing less with less, and the DPW is as well, he is struck by the incongruity of this Board's micromanagement of that Department, as we do not question the Chiefs of the Fire and Police departments when command decisions are made by them. It is within the leadership capabilities and responsibilities of the Town Manager with the DPW Director to make these changes, this Board does not need to be involved with that, they are paid to make such decisions and they should be allowed to make those decisions, and they do not need to wait, there is no need to have a committee, or this polit bureau to continue to sit here and micromanage this department. He supports the command decisions of the Chiefs and the DPW director.

There was an additional discussion on whether the Board or the Town Manager and DPW Director should make the decision to change these policies. The Board agreed that the DPW Director should come in and discuss this with the Board.

Chairman Griffin would like to go on record and state he has commented for several years how he has felt that trash does not need to be picked up multiple times a week during the off season. He also agrees that there is not a need to micromanage any department.

Mr. Pierce commented that he is in a quandary in regards to the types of trucks being used and why side arms trucks are not being used.

Mr. Nichols commented that the Board still needs to address the parking lot at the end of High Street and Ocean Blvd. Mr. Welch believes this is coming the Boards way as early as tomorrow.

Mr. Bean commented on how well the election went and the great job done by the Town Clerk and all other departments involved.

Mr. Bean would also like to ask that Mr. Pierce replace him as the alternate to the IT Committee.

Mr. Bean MOTIONED to appoint Mr. Pierce as the Alternate to the IT Committee.

Mr. Nichols stated that he had resigned as the BOS Representative.

Mr. Bean withdrew the motion.

Mr. Bean MOTIONED to appoint Mr. Pierce as the BOS Representative to the IT Committee. Mr. Nichols SECONDED.

VOTE: 4-0-0

VIII. New Business

1. "Hampton Operation Safe Commute Patrols" Approvals
 - a. Twelve (12) Separate Grants, each less than \$5,000

Mr. Welch explained to the Board the details of this grant and the need for the Boards approval.

Mr. Nichols MOTIONED to APPROVE the Twelve (12) Separate Grants, each less than \$5,000 for the "Hampton Operation Safe Commute Patrols". Mr. Pierce SECONDED.

VOTE: 4-0-0

2. Letter to Planning Board
 - a. Town Manager Supervisory Responsibilities

Mr. Welch gave an overview on this for the Board in regards to a letter from the Planning Board which requested that the Selectmen approve the Town Manager becoming the Supervisor of the Town Planner. He provided further details of the letter, including goals.

Mr. Nichols MOTIONED to APPROVE to authorize the Town Manager to assume the direct supervision of the Town Planner in accordance with the request of the Planning Board, as reflected in the Planning Board's letter dated October 12, 2012 but effective as of the date of this vote by the Selectmen, to be confirmed by letter from the Manager to the Chairman of the Planning Board. Mr. Pierce SECONDED.

VOTE: 4-0-0

3. Withdrawal of Whites Island from the Hampton Beach Village District
 - a. Scheduling of the date for the Public Hearing

Discussion

Mr. Welch explained that a petition had been received from the residents of Whites Island requesting the withdrawal of Whites Island from the Hampton Beach Village District. The RSA has been amended to require the BOS to hold a hearing on this request for removal of those properties, and if the BOS determines that removal is appropriate, then the Precinct would need to meet to vote to approve or not the request for withdrawal.

Precinct Commissioner Ladd felt that it would not be appropriate at this time for the BOS to schedule the public hearing until the Precinct meets to discuss this, since the Precinct has not had the opportunity to discuss this and their meeting is December 12.

Mr. Nichols asked about the steps involved including a hearing, the vote by the Selectmen and then the Precinct to vote.

Chairman Griffin suggested it be scheduled after the Precinct's next meeting. Mr. Welch would suggest December 17th.

Mr. Nichols made the following comments about the petition: language in regards to the properties involved, not clean on what properties involved and 59 signatures and roughly 130 lots make up the island district.

Chairman Griffin stated that they would schedule the public hearing for December 17th.

Mr. Pierce commented that he thought there was a change in the Village District in the 50's or 60's, from Fire Protections to Recreation purposes, it was explained that responsibilities were added.

There was an additional discussion on properties in the Precinct, and how they are taxed or not, year round non rental residential is not taxed and businesses are.

4. Request for Naming of Street

a. 382 Exeter Road

Mr. Welch explained that new streets are required to be named after individuals who have died in service to the Country. This is a request for a street name for 382 Exeter Road, a list of names was been given to the engineers to select a name, however, the selection has not been made as of yet, therefor no action is required at this time.

Also there is a separate request to rename M Street which is Item #6 on the agenda.

Discussion

The Board allowed Mr. Evans to speak at this time on why he would like to rename M Street in memory of his mother, Helen Bousquet. Mr. Evans spoke about his career as musician; and how his mother was responsible, how she coproduced "At Fenway", and his mother's love for Hampton Beach. His mother recently passed away unexpectedly, and that his mom was a tremendous asset to his life, he has spoken to many people on this street and will bear any expense to rename M Street after his mother.

Chairman Griffin asked if a warrant article is needed and Mr. Welch stated the authority is the Selectmen.

Mr. Pierce comment that this is an interesting subject, sure his mother was a tremendous person, the alphabet soup streets have been at the beach for a long time and not real sure on this.

Chairman Griffin would suggest that he come back when they have a full Board, to vote on this change

Mr. Nichols commented also on the lettered streets being there forever and address this again to get comments from the public.

Mr. Bean expressed condolences from the Board on the passing of his mother, might be a tall order to change the street name perhaps come up with an additional plan such as a monument, or another form of recognition.

Chairman Griffin stated it is an unusual request but that does not mean it diminished it and that something could be done.

Mr. Evans asked for maybe some suggestions on a plan B and he will make an appointment with Kristina to come back as an appointment.

Chairman Griffin suggested contact the Recreation Director for some ideas for the memorial.

There was an additional discussion on things that can be done and the possibility of adding a memorial sign under the street sign for dedication.

Mr. Bean MOTIONED to have Mr. Evans produce an imprint to submit to the Recreation Director, the Town Manager and DPW Director in memorial to his mother. [No Second.]

Helen's husband Richard Bousquet also spoke of her love for Hampton Beach. He spoke how she always migrated to Hampton Beach and how her middle initial is "M."

5. Parking Restriction Ordinance Request – Atlantic Avenue

Mr. Welch explained that there is a request to ban parking on one side of Atlantic Avenue. There are no other streets in this area that ban parking on one side.

Discussion

Chairman Griffin reminded everyone how the Board generally does not support eliminating parking.

Mr. Pierce reminded everyone of a problem a year or two ago in regards to asphalt and the sidewalk on Atlantic Avenue. He described a problem with some of the sidewalk on Atlantic Avenue and possible repairs that can be done to the sidewalk.

Chairman Griffin feels this is another topic to discuss when the DPW Director is present.

Mr. Nichols commented that there are two issues one is maintenance and one is parking. He is not in favor of eliminating any parking.

Atty. Gearreald commented on the sidewalks in this area that are addressed in the letter the Board received. There would need to be a petitioned warrant article on the sidewalk, as the money that the Town has is for the west side sewers, and not for sidewalks.

Chairman Griffin reiterated that in this area specifically, the residents did not want sidewalks when the Town was replacing them in the past.

Mr. Nichols just clarified that there is a consensus of the Board to not restrict parking to one side of the street.

6. Request to Re-name M Street – discussed under Item #4

IX. Consent Agenda

1. BOS 2013 Meeting Schedule
2. Departmental Update Schedule
3. Notice of RSA 541-A:39 Combination Bev/Wine/Tobacco Liquor License – Beachview Market, LLC.

Discussion

Mr. Pierce would like to remove item #1 for discussion.

Mr. Nichols MOTIONED to APPROVE Items 2 and 3 of the Consent Agenda. Mr. Pierce SECONDED.

VOTE: 4-0-0

Discussion on Item #1.

Mr. Nichols explained that initially the Departmental Schedule had double appointments and it was requested that only one appointment per meeting, so the Departmental Schedule was revised to reflect that.

Mr. Pierce explained his reason for his motion. He knows everyone is busy, but he feels that there is enough business in Town to meet every Monday in the summer and how agendas are very heavy when they skip every other Monday.

Mr. Pierce MOTIONED to APPROVE holding meetings every Monday in the summer. Mr. Nichols SECONDED.

Discussion on motion

Mr. Nichols commented personally he can go either way, and in 2012 they met on two of the 6 dates that a meeting was not scheduled and the Board always schedules additional meetings as needed.

Chairman Griffin agrees that a meeting can be added if needed and that he does not support Mr. Pierce's motion.

VOTE: 1(Pierce)-2(Griffin, Bean)-1(Nichols)

Discussion on whether the 2013 Meeting Schedule was essentially approved [Item #1] as submitted, it was confirmed that because the Motion failed, the meeting schedule for 2013 was approved.

Comments from the public

Corinne Baker questioned the item under New Business in regards to naming 382 Exeter Road and if they were trying to change the name of the road. It was explained to her that they do not wish to change the name of the Road but there is a shared driveway at this location which they would like to name and how they go about naming these types of roads.

X. Selectmen's Closing Comments

XI. Adjournment

Mr. Pierce MOTIONED to adjourn the public meeting.

Chairman Griffin stated that the Board will be having a meeting after this meeting [Non-meeting under RSA 91-A:2, I (b)].

Mr. Nichols SECONDED.

VOTE: 4-0-0

Chairman